IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MRS. JUSTICE K.HEMA

WEDNESDAY, THE 6TH JUNE 2007 / 16TH JYAISHTA 1929

WP(Crl.).No. 98 of 2007(S)

PETITIONER:

SELVI D/O.THAMPI,
ETTIKKARA, MALAKKADU, ADICHANALLOOR, KOLLAM.

BY ADV. SRI.C.RAJENDRAN

RESPONDENTS:
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1. THE DIRECTOR GENERAL OF POLICE,
THIRUVANANTHAPURAM.

2. DISTRICT SUPERINTENDENT OF POLICE,
KOLLAM DISTRICT, KOLLAM.

3. THE CIRCLE INSPECTOR OF POLICE,
CHATHANOOR POLICE STATION, KOLLAM.

4. THE SUB INSPECTOR OF POLICE,
KOTTIYAM POLICE STATION, KOLLAM.

5. MOHANAN,
ENATHY, KATTUMAVADI, ARANTHANGI,
MANAMEL P.O. PUTHUKOTTAI,
TIRUNELVELI DISTRICT, TAMILNADU.

R1 to R4 BY ADDL. DIRECTOR GENERAL OR PROSECUTION SRI V.K.MOHANAN

THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON 06/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXTS:

EXT.P1 TRUE PHOTOCOPY OF THE BIRTH CERTIFICATE DTD. 9/8/2005.

EXT.P2 TRUE PHOTOCOPY OF THE PETITION FILED BEFORE THE 4TH RESPONDENT DTD. 8/4/2007.

P.R.RAMAN & K.HEMA, JJ.

W.P.(Crl)NO.98 OF 2007

Dated this the 6th day of June,2007

JUDGMENT

Raman,J.

Petitioner is the wife of the 5th respondent. Child was born to them on 19/7/2005. It is alleged that while the child and the mother were residing in her house, the 5th respondent along with some other persons came to the house of the petitioner and forcefully took the child from the hands of the petitioner and went away. The petitioner and the aged parents could not resist the 5th respondent from taking the child.

2. Notice was issued by this Court. Today the learned Additional Director General of Prosecution submits that the child was traced out and permission was sought to produce the child before this Court. Accordinglys the case was called and the child was produced.

3. The child was already handed over to the petitioner. Hence, no further directions are called for in this writ petition. We notice that the 5th respondent could not be heard, as notice could not be served on him yet. We do not enter any finding on the merits of the contention raised and the 5th

respondent has got any legal right of custody of the child, it is open to him to approach the Family Court in accordance with law.

Writ Petition is closed.

P.R.RAMAN,
Judge.

K.HEMA,
Judge.

kcv.